



**King County**

**Department of Permitting  
and Environmental Review**

35030 SE Douglas Street, Suite 210  
Snoqualmie, WA 98065-9266

**206-296-6600** TTY Relay: 711

August 4, 2014

The Honorable Councilmember Kathy Lambert, District 3  
King County Courthouse  
516 Third Avenue, 12<sup>th</sup> Floor  
Seattle, Washington 98104

The Honorable County Executive Dow Constantine  
Chinook Building  
401 Fifth Avenue, Suite 800  
Seattle, Washington 98104

Subject: Community Letter Concerning the Proposed 'Gunshy Manor' Site

Dear Councilmember Lambert and Executive Constantine:

Several residents of the unincorporated Redmond area sent a letter to you expressing concerns about possible future development on a property that often is referred to as "Gunshy Manor." Gunshy Manor is a 124-acre site east of Red Brick Road and south of Union Hill Road that has been used as a horse farm for many years. Its current zoning is RA-5P. The letter identified a range of concerns including potential impacts to Red Brick Road, the activities of the County's Historic Preservation Program, and alleged unpermitted activity that might be in conflict with the requirements of the Endangered Species Act. Because the issues in the letter crossed departmental lines, this response was written cooperatively by the Department of Natural Resources and Parks (DNRP) and the Department of Permitting and Environmental Review (DPER).

Separate from the letter, DPER received a complaint about activities on the site that were causing destruction of aquatic resources, the filling of wetlands, and the channeling of streams. We will return to that complaint later in this response.

Over the past two years or so, DPER staff has had preliminary, general information meetings with the owners of the Gunshy Manor site to discuss development alternatives that might be feasible among the allowed uses of the current zoning designation. Allowable uses include single-family residential development, a conferencing center, a winery, and a few other uses. Because the owners had not specifically identified a development preference and no development applications had been submitted, specific potential impacts and their related mitigation have not been analyzed because the owners appear to be in a data-gathering phase. A request for pre-application, PREA14-0179, was received from the property owner (July 24,

2014) for a 25-lot clustered subdivision, and staff will begin the required analysis for this proposal in the next few weeks.

Under any scenario, one of the challenges to developing the site will be access. King County Department of Transportation (KCDOT) staff and DPER staff have evaluated access options carefully and have discussed the issue with the owners. Because of topography and also the presence of critical areas, there appear to be only two access options: 1) Union Hill Road, and 2) Red Brick Road.

Access to Gunshy Manor from Union Hill Road is greatly challenged because of topographic conditions and limited sight distance. The access point from Gunshy Manor onto Union Hill Road would be at a point where there are two significant curves, essentially forming a kind of S-curve. While KCDOT had planned a capital improvement project at that portion of Union Hill Road that would have made primary access there more feasible, that multi-million dollar project has been shelved because of budget constraints.

The property also has legal access from Red Brick Road, which has historical landmark status. Vehicle weight and load restrictions, and other restrictions, are imposed on Red Brick Road by KCDOT.

Because of the property's adjacency to a designated county landmark, the owners felt it would be beneficial to establish some parameters with the King County Landmarks Commission on the impact of any potential new development. Although a certificate of appropriateness was not required because there were no proposed changes to the Red Brick Road's "features of significance," the owners felt this was the best method to establish a level of comfort for them to market the property, and the Commission felt this was an acceptable increased impact to the road.

A Certificate of Appropriateness was issued by the Landmarks Commission on November 22, 2013 (see Attachment A). Conditions in the Certificate include a general limitation of 2,162 trips per day, averaged annually, and to not exceed the posted weight and load restrictions on Red Brick Road.

Public notice to interested parties or neighbors was not given for the application or approval of this Certificate of Appropriateness. Such notice is not required when the applicant/owner and the Landmarks Commission agree on approval of the certificate. However, given the keen interest by many citizens to protect Red Brick Road, public notice will be given to those who request it when any future certificate of appropriateness application is filed. Communication between the concerned citizens and the Historic Preservation Officer was shared with the Gunshy Manor owners in the interest of promoting clarity between the parties as it relates to the preliminary planning for the site. These communications can be made available to anyone. Moreover, comments made by the Historic Preservation Officer about the owners' intentions were a reflection of appreciation for the owners' collaborative and proactive approach to avoiding future adverse impacts on Red Brick Road.

The concerned citizens have asked, in part, that the Certificate of Appropriateness either be revoked or remanded. Because the Certificate of Appropriateness was not required when it was sought and was issued only as guidance for a then-unidentified development proposal, the Certificate does not need to be revoked or remanded. If and when a formal development application is submitted to DPER, the public will be notified and will have opportunity to comment and raise issues. Further, if and when a formal application is submitted, DPER will confirm with the Historic Presentation Officer that the specific proposal meets the criteria established in the Certificate of Appropriateness.

The pre-application proposal for a 25-lot single-family subdivision was one of the possible development scenarios that were evaluated as part of the Certificate of Appropriateness process. While a formal pre-application meeting goes beyond the level of informal discussion and general inquiry, and does incur a cost to the party requesting the meeting, it is not a certainty that an application is forthcoming.

However, if an application for a subdivision is submitted at some time subsequent to the pre-application meeting, then all of the normal review processes will attend the application, including SEPA review, critical area review, engineering review, and a public hearing. The proposal will be required to meet all County land use and environmental regulations, including construction restrictions in steep slope and/or landslide hazard areas and buffers. During the review, the County also would look at access requirements. Because of the potential safety issues on Union Hill Road, Red Brick Road likely will be the primary access for the proposed development. If that occurs, then the developer will be required to meet the established parameters in the Certificate of Appropriateness and also mitigate for any other traffic safety or traffic operational issues that are identified during the review process. Given the current weight and load restrictions on Red Brick Road, the County almost certainly will require additional, restricted access on Union Hill Road for emergency, utility, and/or delivery vehicles, depending upon the details of the development proposal.

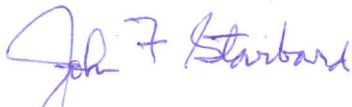
Finally, as mentioned in the second paragraph of this response, DPER received a complaint alleging illegal activities on the site. On June 23, 2014, DPER's code enforcement staff opened a case to look into the matter. DPER's file identifier for this code enforcement matter is ENFR-14-0512. On June 26, code enforcement staff attempted to inspect the site but was unable to gain access onto the site. Staff did inspect the site on July 31 and a report regarding findings is being prepared. Members of the public can review aspects of the file on-line, by telephoning DPER's records center at 206-296-6696 or via email at [DPERrecords@kingcounty.gov](mailto:DPERrecords@kingcounty.gov). If citizens have questions regarding the case please contact Code Enforcement Officer Jeri Breazeal at 206-477-0294, or by e-mail at [Jeri.Breazeal@kingcounty.gov](mailto:Jeri.Breazeal@kingcounty.gov). Previous complaints about the Gunshy Manor site were filed in 2009, 2010, and 2011. Each was investigated. In those instances, the alleged violations were not substantiated and cases were closed. However, if the current allegations are substantiated, the owners would be prohibited from submitting a development application, unless the permit submittal includes the resolution of the violations. It is permissible to apply for a pre-application meeting when a code enforcement case is open.

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Thank you for the opportunity to respond. If the citizens have additional questions or concerns, please have them contact Molly Johnson, Managing Engineer, Department of Permitting and Environmental Review, 206-477-0344 or [Molly.Johnson@kingcounty.gov](mailto:Molly.Johnson@kingcounty.gov); or Julie Koler, Historic Preservation Officer, Department of Natural Resources and Parks, 206-477-4528 or [Julie.Koler@kingcounty.gov](mailto:Julie.Koler@kingcounty.gov).

Respectfully,



John F. Starbard, Director  
Permitting and Environmental Review

Attachments: Certificate of Appropriateness No. 1318

c.c.: Rhonda Berry, Chief of Operations, Office of the County Executive  
Christie True, Director, Department of Natural Resources and Parks (DNRP)  
Bob Burns, Assistant Director, DNRP  
Julie Koler, Historic Preservation Officer, DNRP  
Randy Sandin, Product Line Manager—Resource, Dept. of Permitting  
and Environmental Review (DPR)  
Molly Johnson, Managing Engineer, DPER  
Jeri Breazeal, Code Enforcement Officer, DPER



# King County

## LANDMARKS COMMISSION

### CERTIFICATE OF APPROPRIATENESS #1318 TYPE II

#### *Property*

#### **Red Brick Road**

196th Avenue NE between NE Union Hill Road  
and NE 55th Place, east of Redmond, Washington

#### *Date Issued*

November 22, 2013

#### *Scope of Certificate*

Motor vehicle traffic associated with future development of the *Gunshy Manor Farm* property via the property's Red Brick Road access point. The Gunshy Manor property (a) is legally described on attached Exhibit A, (b) encompasses approximately 124 acres, and (c) abuts an approximately 1,335-foot-long segment of the Red Brick Road's east edge.

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An application for a Type II Certificate of Appropriateness from William C. ("Buff") Nelson, Jr. on his own behalf and on behalf of his two sisters and two brothers as the co-owners of the *Gunshy Manor Farm* property concerning motor vehicle traffic entering or exiting all future residential subdivision development and/or future nonresidential development of the Gunshy Manor property via the property's Red Brick Road access point was submitted to the King County Landmarks Commission on November 8, 2013. The application (copy attached) and supporting documentation was reviewed by the Design Review Committee at its November 14, 2013 meeting, and the Committee unanimously recommended that the Commission approve the application subject to conditions. At the November 19, 2013 meeting of the Commission, the Commission approved the application subject to the conditions set forth below:

This certificate and the following conditions of approval imposed by the Commission shall apply to and shall run with the land comprising the Gunshy Manor property:

- (A) The following two mitigating conditions (limitations) concerning motor vehicle traffic entering or exiting any and all future residential subdivision development and/or future nonresidential development of the Gunshy Manor property [development in accordance with applicable King County

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Certificate of Appropriateness #1318

November 22, 2013

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zoning code provisions and associated approvals (development that may be constructed in one or more phases)] (the "**Gunshy Manor Red Brick Road Traffic Limitations**") shall hereafter apply to the property:

- (1) A general prohibition on any such traffic that consists of vehicles in Federal Highway Administration (FHWA) Class 4 and higher from entering or exiting the development via the Red Brick Road at the property's Red Brick Road access point, except for vehicles in FHWA Class 4 and higher that provide regularly scheduled services to properties along the Red Brick Road ("Regularly-Scheduled Large Vehicles"), such as garbage or recycling trucks or public school buses, but only if and to the extent that both
    - (a) the Regularly-Scheduled Large Vehicles would travel along the Red Brick Road with or without future Gunshy Manor development and would merely turn into and later exit the Gunshy Manor property, and
    - (b) the future Gunshy Manor development does not cause more Regularly-Scheduled Large Vehicle trips along the Red Brick Road to take place annually than would take place annually without the future overall Gunshy Manor development, and
  - (2) A general limitation of 2,162 trips on the combined total of Class 2 and Class 3 vehicle average annual daily trips (AADT) entering or exiting the Gunshy Manor development via the Gunshy Manor property's Red Brick Road access point under the highest traffic-generating scenarios for the property and
- (B) Prior to sale of any of the Gunshy Manor property, the owners of the Gunshy Manor property shall record with the King County Recorder in the County real estate records a copy of this Certificate of Appropriateness (without the colored map exhibits) to run with the land in regard to the Gunshy Manor property in order to provide record notice to future

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*Certificate of Appropriateness #1318*

*November 22, 2013*

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owners of the Gunshy Manor property of the existence of this Certificate of Appropriateness and its conditions of approval.

This Certificate is hereby issued pursuant to King County Code 20.62.080, but it does not waive the responsibilities of the applicant or the applicant's successors-in-ownership of the Gunshy Manor property with respect to other permit requirements and obligations.

Thomas K. Hitzroth, Chair  
King County Landmarks Commission

by   
Julie M. Koler  
Historic Preservation Officer

**Appeal Procedure:** Any interested person may appeal the above decision to the King County Council. Written notice of the appeal may be filed within thirty-five (35) calendar days of the issuance of the Certificate of Appropriateness. The written notice of appeal shall be filed with the Historic Preservation Officer and shall be accompanied by a statement setting forth the grounds for the appeal, supporting documents, and arguments.

cc: William C. Nelson, Jr.  
David L. Halinen, Halinen Law Offices, P.S.  
Molly Johnson, Department of Permitting and Environmental Review  
Tom Minichillo, Road Services Division  
COA Log File

Attachments: COA application, dated November 8, 2013  
DRC Report, dated November 18, 2013

**EXHIBIT A**

**Legal Description of the  
"Gunshy Manor" Property**

**Parcel 1:**

Lot 1 of King County Boundary Line Adjustment No. BLAD13-0001, recorded under Recording No. 20130610900001;

Situate in the County of King, State of Washington.

**Parcel 2:**

Lot 2 of King County Boundary Line Adjustment No. BLAD13-0002, recorded under Recording No. 20130610900002;

Situate in the County of King, State of Washington.

**Parcel 3:**

Lot 3 of King County Boundary Line Adjustment No. BLAD13-0001, recorded under Recording No. 20130610900001;

Situate in the County of King, State of Washington.

**Parcel 4:**

Lot 4 of King County Boundary Line Adjustment No. BLAD13-0003, recorded under Recording No. 20130610900003;

Situate in the County of King, State of Washington.

**Parcel 5:**

Lot 5 of King County Boundary Line Adjustment No. BLAD13-0003, recorded under Recording No. 20130610900003;

Situate in the County of King, State of Washington.

**Parcel 6:**

Lot 6 of King County Boundary Line Adjustment No. BLAD13-0003, recorded under Recording No. 20130610900003;

Situate in the County of King, State of Washington.